

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chairman Gary L. Perry, on March 11, 2009 at 9:00  
A.M., in Room 303 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Gary L. Perry, Chairman (R)  
Sen. Jim Shockley, Vice Chairman (R)  
Sen. Aubyn Curtiss (R)  
Sen. John Esp (R)  
Sen. Greg Hinkle (R)  
Sen. Larry Jent (D)  
Sen. Carol C. Juneau (D)  
Sen. Cliff Larsen (D)  
Sen. Jesse Laslovich (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Terry Murphy (R)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Valencia Lane, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 150, HB 295, 3/4/2009

Executive Action: None

**HEARING ON HB 150**

**Opening Statement by Sponsor:**

00:02:16 Rep. Dee Brown (R), HD 3, opened the hearing on HB 150, Montana recreation responsibility act.

**EXHIBIT(jus54a01)**

**Proponents' Testimony:**

00:06:33 Rep. Deborah Kottel, HD 20

00:12:33 Tracey Knutson, Attorney

**EXHIBIT(jus54a02)**

**EXHIBIT(jus54a03)**

00:21:10 Bob Jordan, Wild River Adventures, West Glacier

**EXHIBIT(jus54a04)**

00:30:53 Peter Bovington, Montana Ski Areas Association

**EXHIBIT(jus54a05)**

00:32:27 Roger Hagan, Montana Trail Vehicle Riders Association

00:33:24 Jean Johnson, Montana Outfitters and Guides Association

00:37:58 Bob Gilbert, Executive Director, Walleyes Unlimited  
Montana

00:38:30 Russ Ehnes, Vice President, Montana Trail Vehicle  
Riders Association; Bull Run Guest Ranch, Cascade

00:40:38 Robin Cunningham, Executive Director, Fishing  
Outfitters Association of Montana

00:42:18 Doug Wales, Montana Ski Area Association

00:45:34 Stuart Doggett, Montana Innkeepers Association

00:46:26 Ronda Wiggers, Montana Snowmobile Association

00:47:24 Jon Bennion, Montana Chamber of Commerce

00:48:17 Ted Harvey, General Manager, Bar W Guest Ranch,  
Whitefish

**EXHIBIT(jus54a06)**

00:49:28 Sherry Meador, Attorney, Helena

00:50:17 Cory Swanson, Citizens for Balanced Use; Kalispell  
Chamber of Commerce

00:52:05 Ramona Ehnes, Great Falls Trail Bike Riders, Great  
Falls

00:52:29 Kerry White, self; Citizens for Balanced Use, Bozeman

**Opponents' Testimony:**

00:54:45 Al Smith, Montana Trial Lawyers Association

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:15:06 Sen. Perry  
 01:16:15 Mr. Jordan  
 01:18:19 Sen. Perry  
 01:19:02 Ms. Knutson

(Please Note for audio clarification only: Sen. Perry exited the room for the presentation of his bill. Sen. Shockley was also absent from the room and presenting a bill elsewhere. Sen. McGee will be Acting Chairman of the Committee.)

01:20:59 Sen. Laslovich  
 01:21:19 Mr. White  
 01:22:40 Sen. Laslovich  
 01:23:03 Greg Van Horrsen, State Farm Insurance; also for Bruce Spencer, Property Casualty Insurers Association of American; also for Jacqueline Lenmark, American Insurance Association  
 01:25:43 Sen. Laslovich  
 01:26:40 Rep. Brown  
 01:28:21 Sen. Laslovich  
 01:28:26 Ms. Knutson  
 01:38:17 Sen. Laslovich  
 01:39:10 Mr. Gilbert  
 01:42:21 Sen. Larsen  
 01:43:08 Rep. Kottel  
 01:47:16 Sen. Larsen  
 01:47:49 Ms. Knutson  
 01:49:12 Sen. Jent  
 01:49:56 Ms. Knutson  
 01:55:22 Sen. Moss  
 01:57:51 Rep. Brown  
 01:59:26 Sen. Juneau  
 02:00:29 Rep. Brown  
 02:01:28 Sen. Laslovich  
 02:02:42 Mr. Bovingdon  
 02:04:31 Sen. McGee  
 02:04:40 Rep. Kottel

**Closing by Sponsor:**

02:06:39 Rep. Brown

**HEARING ON HB 295**

**Opening Statement by Sponsor:**

02:11:34 Rep. Mike Menahan (D), HD 82, opened the hearing on HB 295, Allow admissibility of other crimes in child sex crimes.

**Proponents' Testimony:**

02:22:03 Brant Light, Assistant Attorney General, Department of Justice (DOJ)

[EXHIBIT\(jus54a07\)](#)

[EXHIBIT\(jus54a08\)](#)

02:33:51 Mark Murphy, Chief Criminal Deputy, Yellowstone County, Billings

[EXHIBIT\(jus54a09\)](#)

02:36:30 Judy Reel, Montana Coalition Against Domestic and Sexual Violence

(For audio clarification only, Sen. Shockley returned to the committee room.)

**Opponents' Testimony:**

02:37:07 Scott Crichton, Executive Director, ACLU

[EXHIBIT\(jus54a10\)](#)

**Informational Testimony:**

None

(For audio clarification only, Sen. Perry returned to the committee room.)

**Questions from Committee Members and Responses:**

02:42:47 Sen. Laslovich

02:43:20 Rep. Menahan

02:44:48 Sen. McGee

02:45:00 Rep. Menahan

02:50:57 Sen. Shockley

02:51:26 Rep. Menahan

**Closing by Sponsor:**

02:55:36 Rep. Menahan

**ADJOURNMENT**

Adjournment: 11:56 A.M.

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Pam Schindler, Secretary

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Additional Documents:

**EXHIBIT ([jus54aad.pdf](#))**